

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

LIBERTE CAPITAL GROUP,

Plaintiff,

Case No. 5:99 CV 818

-vs-

O R D E R

JAMES A. CAPWILL, et al.,

Defendant.

KATZ, J.

Pending before the Court is the Receiver's motion for a show cause order directed to Allianz Insurance Company (Doc. No. 2599) regarding release of information relative to certain policies and why it should not be held in contempt of Court for refusal to comply with previous Court orders.

Upon consideration and for good cause, the Receiver's motion (Doc. No. 2599) is granted. The Court further Orders the following:

Allianz Life Insurance Company N.A. is hereby required to show cause on or before September 26, 2008 why it should not be held in contempt of Court for non-compliance of this Court's Order of July 17, 2002 directing it to "recognize the authority of the Alpha Receiver, William T. Wuliger, as absolute owner and beneficiary of the [below-referenced] policies" which are assets under the control of the Receiver and the jurisdiction of this Court, and its Order of October 25, 2007 directing it to release "all death benefits or other proceeds relating to. . . :

- Allianz Policy No. 25003395 insuring viator Mark Canterbury;
- Allianz Policy No. 25005092 insuring viator Donna Stone; and

- Allianz Policy No. 25000278 insuring viator David Barber.”

FURTHER ORDERED that the Clerk’s Office is directed to mail a copy of this Order along with certified copies of Doc. Nos. 1658 (attachment pages 3, 6, and 51 only) and 2550 to the following entities:

Allianz Life Insurance Co. N.A.
2000 Wade Hampton Blvd.
Greenville, SC 29615-1064
Attn: Death Claims Dept.

Allianz Administrative Management
5701 Golden Hills Drive
Minneapolis, MN 55416-1297

s/ David A. Katz
DAVID A. KATZ
U. S. DISTRICT JUDGE